

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

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UNITED STATES OF AMERICA,

No. 2:02-cr-00257 WBS

Plaintiff,

v.

ORDER

ROLAND ADAMS,

Defendant.

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On August 5, 2020, defendant Roland Adams filed a Motion to Vacate or Set Aside Restitution, which he has supplemented with several additional filings. (Docket Nos. 377, 380, 381, 382, 383, 385.) Defendant apparently seeks to vacate his sentence to the extent that he was ordered to pay restitution in the amount of \$1,201,092.90 pursuant to his convictions for conspiracy to commit mail fraud and wire fraud under 18 U.S.C. § 371 and conspiracy to launder money under 18 U.S.C. § 1956(h).

The court will deny defendant's motion. Judge Edward J. Garcia, prior to reassignment of this case to the undersigned,

1 determined that defendant's plea agreement and guilty plea were  
2 valid and that his appellate waiver was valid after determining,  
3 among other things, that his counsel was not ineffective. (See  
4 Docket No. 355.) Moreover, in the plea agreement, defendant  
5 stated that he agreed that the preliminary restitution figure was  
6 \$2,124.762.82, subject to final determination after the  
7 presentence report investigation, and defendant agreed to a  
8 factual basis stating that if all victims were called to testify  
9 at trial, the government could present evidence of actual losses  
10 in excess of \$2.1 million -- both figures significantly higher  
11 than the ultimate restitution amount ordered by the court.  
12 (Docket No. 355 at 13, 22.)<sup>1</sup> Defendant has presented no argument  
13 or evidence that warrant disturbing Judge Garcia's  
14 determinations.

15 IT IS THEREFORE ORDERED that defendant's Motion to  
16 Vacate or Set Aside Restitution (Docket No. 377) be, and the same  
17 hereby is, DENIED.<sup>2</sup>

18 Dated: September 11, 2020

  
19 WILLIAM B. SHUBB  
20 UNITED STATES DISTRICT JUDGE

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24 <sup>1</sup> The probation officer's recommendation for restitution  
in the amount of \$1,201,092.90 was also supported by the  
"Declaration of Victim Losses" collected by the officer. (See  
25 Docket No. 104.)

26 <sup>2</sup> To the extent that any of defendant's other filings  
27 related to this motion could be construed as separate motions  
(Docket No. 380, 381, 382, 383, and 385), they are similarly  
28 DENIED.